



UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Shaun A. Kirkpatrick, et al.	Examiner:	Quang Nguyen
Serial No.:	09/433,429	Art Unit:	1636
Filed:	Nov. 4, 1999	Docket:	11160
For:	PRODUCTION OF A BIOLOGICAL FACTOR AND CREATION OF AN IMMUNOLOGICALLY PRIVILEGED ENVIRONMENT USING GENETICALLY ALTERED SERTOLI CELLS		Dated: June 14, 2004
			Confirm. No.: 2571

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Groskreutz D. et al., "CAT Reporter Systems: New pCAT®3, Reporter Vectors and Antibodies Provide Increased Expression and Detection Capabilities", Promega Notes Magazine, Vol. 55 (1996), pp. 1-7;
2. Muramatsu, et al., "Foreign Gene Expression in the Mouse Testis by Localized *in Vivo* Gene Transfer", Biochemical and Biophysical Research Communications, Academic Press, Inc., vol. 233, No. 1 (April 7, 1977), pp. 45-49;

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 14, 2004.

Dated: June 14, 2004

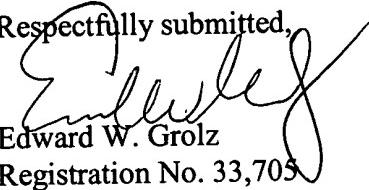
Edward W. Grolz

3. MacGregor, et al., "Construction of Plasmids that Express E. Coli β -galactosidase in Mammalian Cells", Nucleic Acids Research, Oxford University Press, Vol. 17, No. 6 (25 March 1989), p. 2365;
4. Okayama H., et al., "A cDNA Cloning Vector That Permits Expression of cDNA Inserts in Mammalian Cells", Vol. Molecular and Cellular Biology, Vol. 3, No. (Feb. 1983), pp. 280-289;
5. J. Seppen, et al., "Transplantation of Gunn Rats with Autologous Fibroblasts Expression Bilirubin UDP-Glucuronosyltransferase: Correction of Genetic Deficiency and Tumor Formation", Human Gene Therapy, U.S., Vol. 8, No. 1 (1 Jan. 1997), pp. 27-36;
6. L. Wang, et al., "A Factor IX-deficient Mouse Model for Hemophilia B Gene Therapy", Proceedings of the National Academy of Sciences of the U.S., Vol. 94, No. 21 (1997), pp. 11563-11566;
7. A. Ducray, et al., "Establishment of a Mouse Sertoli Cell Line Producing Rat Androgen-binding Protein (ABP), Steroids: Structure, Function and Regulation, Elsevier Science Publishers, Vol. 63, No. 5-6 (6 May 1998), pp. 285-287;
8. United States Patent No. 5,702,700, issued to Sanberg, et al., dated December 30, 1997;
9. United States Patent No. 5,759,534, issued to Selawry, dated June 2, 1998; and
10. G.S. Korbutt, et al., "Cotransplantation of Allogeneic Islets With Allogeneic Testicular Cell Aggregates Allows Long-Term Graft Survival Without Systemic Immunosuppression", Diabetes, Vol. 46 (Feb. 1997), pp. 317-322.

The references were cited in a Search Report dated May 13, 2004

received from the European Patent Office. Applicants are submitting copies of the above-cited references, together with a copy of the Search Report. The relevance of the above-identified references has been described in the Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(c)(1) and (e)(1), a statement is enclosed.

Respectfully submitted,

Edward W. Grolz
Registration No. 33,705

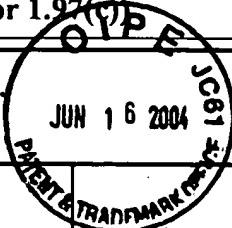
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

EWG/XZ:ahs

1636

Docket No.
11160TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

In Re Application Of: Shaun A. Kirkpatrick, et al.

Serial No.
09/433,429Filing Date
Nov. 4, 1999Examiner
Quang NguyenGroup Art Unit
1636

**Title: PRODUCTION OF A BIOLOGICAL FACTOR AND CREATION OF AN
IMMUNOLOGICALLY PRIVILEGED ENVIRONMENT USING GENETICALLY
ALTERED SERTOLI CELLS**

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

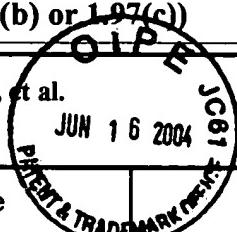
OR

the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
 (Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
 11160

In Re Application: **Shaun A. Kirkpatrick, et al.**



Serial No.

09/433,429

Filing Date

Nov. 4, 1999

Examiner

Quang Nguyen

Group Art Unit

1636

**PRODUCTION OF A BIOLOGICAL FACTOR AND CREATION OF AN
 IMMUNOLOGICALLY PRIVILEGED ENVIRONMENT USING GENETICALLY
 ALTERED SERTOLI CELLS**

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of _____ is attached.
- The Director is hereby authorized to charge and credit Deposit Account 19-1013/SSMP as described below.
- Charge the amount of _____
- Credit any overpayment.
- Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____) on _____

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on June 14, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Edward W. Grolz

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

Signature

Edward W. Grolz, Reg. No. 33,705

SCULLY, SCOTT, MURPHY & PRESSER

400 Garden City Plaza

Garden City, NY 11530

(516) 742-4343

EWG/XZ:ahs

CC:

Dated: June 14, 2004

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
11160

In Re Application Of: Shaun A. Kirkpatrick, et al.



Serial No.
09/433,429

Filing Date
Nov. 4, 1999

Examiner
Quang Nguyen

Group Art Unit
1636

**Invention: PRODUCTION OF A BIOLOGICAL FACTOR AND CREATION OF AN
IMMUNOLOGICALLY PRIVILEGED ENVIRONMENT USING GENETICALLY ALTERED
SERTOLI CELLS**

TO THE COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Signature

Edward W. Grolz, Reg. No. 33,705
SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, NY 11530
(516) 742-4343

EWG/XZ:ahs

Dated: June 14, 2004

Certificate of Mailing by First Class Mail

I certify that this document is being deposited on
June 14, 2004 with the U.S. Postal Service as first
class mail under 37 C.F.R. 1.8 and is addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.

Signature of Person Mailing Correspondence

Edward W. Grolz

Typed or Printed Name of Person Mailing Correspondence

CC:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.